

FOR PUBLICATION

UNITED STATES DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

APPELLATE DIVISION

IN THE MATTER OF THE APPLICATION)
OF THE DEPARTMENT OF HUMAN SERVICES)
FOR THE TEMPORARY CARE, CUSTODY)
AND CONTROL OF:) **D.C. Civ. App. No. 91-159**
)
JAYSON BARRETT, GLENDITA BARRETT,) **Fam. No. C22/87 & C4/89**
KELVIN STUART, BRYANT STUART, GERALD)
STUART AND CRAIG STUART,)
Minors.)
)

On Appeal from the Territorial Court
of the Virgin Islands, Family Division

Argued: October 7, 1992
Filed: January 31, 1995

BEFORE: **THOMAS K. MOORE**, Chief Judge, District Court of the Virgin Islands; **EDWARD N. CAHN**, Chief Judge of the United States District Court for the Eastern District of Pennsylvania, Sitting by Designation; and **HENRY C. SMOCK**,¹ Judge of the Territorial Court of the Virgin Islands, Sitting by Designation.

APPEARANCES:

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1. Although Judge Smock participated in the argument and decision of this appeal, he departed the Territorial Court bench before this opinion was handed down. The Revised Organic Act of 1954 § 23A(b), 48 U.S.C § 1613a (1976 & 1986 Supp.), *reprinted in* V.I. CODE ANN., Historical Documents, 61 (1967 and 1994 Supp.) ("Revised Organic Act").

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ORDER OF THE COURT

AND NOW, this 31st day of January, 1995, after careful review of the record and having considered the submissions and arguments of the parties; and for the reasons set forth in the Court's accompanying Opinion of even date;

IT IS ORDERED:

THAT the Territorial Court's Judgment and Order dated April 5, 1991 terminating Joan Stuart's parental rights is **AFFIRMED**.

FOR THE COURT:

_____/s/_____
THOMAS K. MOORE
CHIEF JUDGE

A T T E S T:

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ORINN F. ARNOLD
Clerk of the Court

BY: _____
Deputy Clerk

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Copies to: (with copy of Opinion)

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